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Sent via email to
FAO Richard Sunter
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27 February 2025

Dear Sir/Madam,

Ref: V/2025/0003 Development of a drive-thru restaurant (use class e/sul generis) with associated access, servicing, car parking, hard and soft landscaping and other associated works. Street Record, Lane End, Kirkby In Ashfield, Nottinghamshire.

I write in relation to the above planning application which has been submitted to Ashfield District Council. I have consulted with my colleagues across relevant divisions of the County Council and have the following comments to make.

In terms of the County Council's responsibilities there are a number of elements of national planning policy and guidance that are of particular relevance in the assessment of planning applications these include Minerals and Waste, Education, Transport and Public Health. Where necessary, the Council will request developer contributions towards its services in accordance with its adopted [Developer Contributions Strategy](#), which is available to view online.

Highways and Flood Risk Management

The County Council as Highway Authority and Local Lead Flood Authority is a statutory consultee to Local Planning Authorities and therefore makes separate responses on the relevant highway and flood risk technical aspects for planning applications.

Should further information on the highway and flood risk elements be required contact should be made directly with the Highway Development Control Team and the Flood Risk Management Team to discuss this matter further with the relevant officers dealing with the application.

Minerals and Waste

The adopted Nottinghamshire and Nottingham Replacement Waste Local Plan, Part 1: Waste Core Strategy (adopted 10 December 2013) and the saved, non-replaced policies of the Waste Local Plan (adopted 2002), along with the adopted Nottinghamshire Minerals Local Plan (adopted March 2021), form part of the development plan for the area. As such, relevant policies in these plans need to be considered. In addition, Minerals Safeguarding and Consultation Areas (MSA/MCA) have been identified in Nottinghamshire and in accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan, these should be taken into account where proposals for non-minerals development fall within them.

Minerals

In relation to the Minerals Local Plan, the proposed development site is covered by the Minerals Safeguarding and Consultation Area (MSA/MCA) for limestone. In accordance with the National Planning Policy Framework (paragraph 204), the Adopted Minerals Local Plan (March 2021) contains a policy, SP7, which states that where a need can be demonstrated for non-mineral

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development in an MSA/MCA, prior extraction should be sought where practicable. In this instance, considering the scope and scale of the development prior extraction of limestone would not be practicable. The County Council therefore does not wish to raise any objections to the proposal from a mineral’s perspective.

Waste

In terms of the Waste Core Strategy, there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities (as per Policy WCS10).

As set out in Policy WCS2 ‘Waste awareness, prevention and reuse’ of the Waste Core Strategy, the development should be ‘designed, constructed and implemented to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development.’

Public Transport

General Observations and Accessibility

The planning application covers an area of land to the south of Lane End in Kirkby in Ashfield and is a proposal for a McDonalds restaurant. Site access appears to be via a new access where Lane End and Urban Road meet. The Planning Statement states that the site is situated on the edge of the town centre.

Bus Service Support

Nottinghamshire County Council’s Highway Design Guidance (Part 3.1) states that walking distances to bus stops in urban areas should be located within a maximum of distance of 400metres and desirably no more than 250 metres. The closest existing bus stops, denoted Council Offices, are located on Urban Road approximately 135 & 150 metres respectively or about 2 minutes walking distance from the centre of the site. There is an alternative pair of stops located on Harcourt Street approximately 300-400 metres from the centre of the site. A summary of the current services that serve the closest stops is summarised below:

Service No. (Operator)	Route	Service Frequency & Operating Times		
		Weekday	Weekend	
		Mon - Fri	Sat	Sun
3A & 3B trentbarton	Mansfield – Sutton – Kirkby– Hucknall – Nottingham	every 30 mins	every 30 mins	every 60 mins
	Nottingham – Hucknall – Kirkby– Sutton – Mansfield	every 30 mins	every 30 mins	every 60 mins
90 trentbarton	Sutton – Kirkby – Selston - Ripley	every 60 mins	every 60 mins	No Service
	Ripley – Selston – Kirkby - Sutton	every 60 mins	every 60 mins	No Service

The trentbarton ‘threes’ offers a daily service towards Nottingham and Mansfield. trentbarton 90 links Sutton with Kirkby, Selston and Ripley. At this time, it is not envisaged that contributions towards local bus service provision will be sought.

In 2021 the government published its document ‘Bus Back Better – A **National Bus Strategy** for England’. The strategy requires Local Transport Authorities to implement ambitious bus priority schemes and Bus Service Improvement Plans (BSIPs) delivered through Enhanced Partnerships, which consider how a coherent and integrated network should serve schools, health, social care, employment and other services. This includes requiring the provision of economically necessary bus services, including those which improve people’s access to employment. The requirements of the Strategy should be reflected in the public transport facilities for this site.

Bus Stop Infrastructure

The infrastructure observations from Transport & Travel Services records are as follows:

AS0315 Council Offices - Bus stop pole and flag, Real Time Information, unenforceable lay-by/clearway.

AS0316 Council Offices - Bus stop pole and flag raised boarding kerbs, Real Time Information, polycarbonate bus shelter, unenforceable clearway.

The Council request that a Planning Obligation be added to state:

A Bus Stop Infrastructure contribution of **£11,900** is paid to provide improvements to two bus stops on Urban Road denoted AS0315 and AS0316.

Justification: The current level of facilities at the specified bus stops are not at the standard set out in the Appendix to the Council's Public Transport Planning Obligations Funding Guidance¹. The level of funding requested would provide the following improvements:

AS0315 Council Offices - Raised boarding kerbs.

AS0316 Council Offices - Solar or electrical lighting, shelter refurbishment.

Improvements to bus stop infrastructure are a valuable strategic investment in the promotion of the bus network. High quality, modern, attractive, well designed bus infrastructure supports modal shift. The bus shelter refurbishment and solar / electrical lighting will be provided at the shelter to promote safety and reduce vandalism. Raised boarding kerbs will provide level access boarding and alighting for people with pushchair's, wheelchairs and those with reduced mobility.

The specified improvements are consistent with the standard set out in the Council's Public Transport Obligations Funding Guidance ² and the Developer Contributions Strategy ³ and has included consideration of other sustainable travel options, including cycling & walking facilities serving the site.

Community Transport

The local Community Transport provider, Our Centre, operates a Community Transport social car scheme, minibus and Ring & Ride scheme providing registered users who do not have access to, or use of a private vehicle, access to key services. The scheme provides safe, affordable transport to meet the needs of people who have difficulty with using/accessing transport due to age, disability, ill health, poor mobility or lack of suitable transport services. It enables people to live independently, participate in their community and access education, employment, health, shopping and other services. The Our Centre Community Transport scheme is operated on a non-profit making basis. A proposed mitigation to support sustainable access to the site is to provide a funding contribution towards the costs to manage, operate and promote the scheme.

The Council request that a Planning Obligation be added to state:

A Community Transport contribution of **£7,000** be paid towards the costs to manage, operate and promote the work of the Our Centre Community Transport Scheme including vehicle replacement or other uses deemed necessary to improve services.

Justification: The scheme Annual Report and accounts 2023/24 states that the scheme resources expended on transport exceeded incoming resources. Transfers were made from the designated and general funds to maintain a project balance accounting for the scheme overheads including vehicle replacement. The above contribution would be used towards the costs to manage and operate the scheme, scheme promotion and for future minibus vehicle replacement.

The requested obligations would be for bus stop improvements and for local community transport provision, so are directly related to the development, fair and reasonably related in scale and kind to the development and necessary to make the development acceptable in planning terms (retail).

Cycling and Walking Provision

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The government's Cycling and Walking Investment Strategy (CWIS 2) has a headline ambition "to make cycling and walking the natural choices for shorter journeys, or as part of a longer journey." The LCWIP is the mechanism by which local authorities and their partners plan investment in local routes that will deliver the vision of the national policy, and they are referenced in the NPPF. The network seeks to connect residential areas and communities to the key employment, retail, education, health and leisure locations, particularly where such proposals assist in encouraging economic growth.

The proposed development site is located on the southern side of Lane End, as marked by the purple polygon in the plan below. This proposed development is expected to generate a substantial number of pedestrian trips. In addition, there is Kirkby Train station (shown by the red dot) and a supermarket with a car park along the northern side of Lane End, and the proposed development may generate pedestrian trips between the attractors, and therefore crossing Lane End. Our latest average daily traffic figures have recorded that there are 10,000 to 15,000 vehicles daily along Lane End, Kirkby in Ashfield.



Our team currently does not have any plans to upgrade these refuge crossings, but we would welcome an upgraded formal, signalised crossing as part of this development due to the increased footfall that will be generated. To encourage sustainable travel to the proposed site, the County Council would request that a financial contribution of **£100,000** is secured through a S106 Agreement for the provision of a formal pedestrian crossing on Lane End, between the application site and the ALDI site. The refuge crossing is shown below. The crossing would maximise connectivity to the proposed site, thus ensuring that the development gives priority to pedestrian movements and promotes sustainable transport modes of travel in accordance with the aspirations of the NPPF.



Conclusion

It should be noted that all comments contained above could be subject to change, as a result of ongoing negotiations between the County Council, the Local Planning Authority and the applicants. These comments are based on the information supplied and are without prejudice to any comments the County Council may make on any future planning applications submitted for this site. Should the County Council's request for developer contributions be agreed, the Council expects to be included as a signatory to the relevant legal agreement arising from the determination of the application.

Should you require any further assistance in relation to any of these matters please do not hesitate to contact me.

Yours faithfully

Tania Krasteva
Planning Officer
Nottinghamshire County Council

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